

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

DEXON COMPUTER, INC.,

Plaintiff

V.

CISCO SYSTEMS, INC. and CDW  
CORPORATION,

## Defendants

Civil Action No. 5:22-cv-00053-RWS-JBB

**DEFENDANT CISCO SYSTEMS, INC.’S**  
**NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendant Cisco Systems, Inc. submits this Notice of Supplemental Authority in support of its Motion To Transfer, Dkt. 21, and Motion To Dismiss Under Rule 12(b)(6), Dkt. 22.

On July 26, 2022, the United States District Court for the Northern District of California denied Plaintiff Dexon Computer, Inc.’s (“Dexon”) Motion for Leave To File a Motion For Reconsideration of the court’s order dismissing its counterclaims against Cisco Systems, Inc. and Cisco Technology, Inc. without leave to amend. *See Order, Cisco Sys., Inc. v. Dexon Computer, Inc.*, No. 3:20-cv-04926 (N.D. Cal. July 26, 2022) (Breyer, J.), Dkt. 138 (attached as Exhibit A).

August 2, 2022

Respectfully submitted,

/s/ *Deron Dacus*

DERON R. DACUS (Bar No. 00790553)

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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served on this August 2, 2022 with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Deron R. Dacus  
Deron R. Dacus

# **Exhibit A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CISCO SYSTEMS, INC., et al.,

Plaintiffs,

v.

DEXON COMPUTER, INC., et al.,

Defendants.

Case No. [20-cv-04926-CRB](#)

**ORDER DENYING MOTION FOR  
LEAVE TO FILE A MOTION FOR  
RECONSIDERATION**

On July 1, 2022, Defendant Dexon moved for leave to file a motion for reconsideration. Mot. (dkt. 130). On July 5, the Court ordered Plaintiff Cisco to respond. See Order (dkt. 132). On July 8, the Court clarified that it had not yet granted nor denied Dexon's motion for leave. See Amended Order (dkt. 134).

Having reviewed the papers, the Court now DENIES Dexon's motion for leave to file a motion for reconsideration. Under Civil Local Rule 7-9(b)(3), the moving party must demonstrate a "manifest failure . . . to consider material facts or dispositive legal arguments which were presented to the Court." Dexon has not met this high bar. The Court already considered all material facts and dispositive arguments that Dexon presented. See Cnty. of Santa Clara v. Trump, 267 F. Supp. 3d 1201, 1207–08 (N.D. Cal. 2017) (reconsideration is appropriate when the Court "committed clear error" or made a decision that "was manifestly unjust").

**IT IS SO ORDERED.**

Dated: July 26, 2022



CHARLES R. BREYER  
United States District Judge